

**Notice of Allowability**

Application No.

10/550,481

Examiner

JIALONG HE

Applicant(s)

AUBAUER, ROLAND

Art Unit

2626

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment filed on 11/30/2009.
2. ☒ The allowed claim(s) is/are 10-18.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some\* c) ☐ None of the:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),  
Paper No./Mail Date \_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_.

/JIALONG HE/  
Examiner, Art Unit 2626

/Vijay B. Chawan/  
for Richmond Dorvil, SPE of Art Unit 2626

## **DETAILED ACTION**

### **EXAMINER'S AMENDMENT**

1. Authorization for this examiner's amendment was given in a telephone interview with Mr. Grubert (Reg. 59,143) on 06/14/2010.
2. The application has been amended as follows:  
  
In claim 16, line 7, after "wherein the system is" please delete **[operable]** and insert – **configured to perform** --.

End of amendment.

### **Allowable Subject Matter**

3. Claims 10-18 are allowed.
4. The following is an examiner's statement of reasons for allowance:

The invention is directed to a speaker-dependent speech recognition method and system which if a voice utterance could not be recognized, assign the utterance to a new command.

Claim 1 recites, inter alia, following limitations:

d) recording another voice utterance and generating a second voice pattern;  
e) comparing said second voice pattern with said first voice pattern; and  
f) if the comparison shows a predefined degree of similarity then combining the  
first and second voice pattern and assigning a new command to the combined voice  
pattern and storing the combined voice pattern in said database, and otherwise  
repeating steps d) to f).

Gammel (US Pat. 5,832,429) discloses a method of enrolling a name/address for voice speed dial using a speech recognition system. Gammel discloses a user could use voice to call a person by speaking the person's name. Gammel also discloses the user could use voice to enroll a new name by adding, deleting or modifying a "name to call" list. The user could train the speech recognition system to recognize the new name. Gammel fails to compare the new recording name utterance with the unrecognized name utterance (first voice pattern) and combine two utterances if they are similar. Gammel fails to disclose above underlined limitations.

Hon et al. (US Pat. 5,852,801) discloses a method of adding unrecognized words into the vocabulary of a speech recognition system. Hon discloses for an unrecognized word, determining if it is in the lexicon and based on the determination to add or modify the lexicon so that the system could recognize this unrecognized word in the future. Hon does not compare the new recording utterance with an unrecognized utterance (first

voice pattern) and combine two utterances if they are similar. Therefore, Hon fails to disclose above underlined limitations.

Everhart et al. (US Pat. 6,587,824) discloses adapting in-vehicle speech recognition system for new speaker's voice characteristics so that misrecognized voice commands could be corrected. Everhart does not compare the new recording voice command with an unrecognized voice command and combine two voice commands if they are similar, therefore, Everhart fails to discloses above underlined limitations.

Prior art of record, either alone or in combination, does not teach or suggest above underlined limitations in combination with other recited limitations, therefore, fails to anticipate or render obvious the claimed invention.

Claim 16 includes features similar to claim 1. Dependent claims 11-15 and 17-18 further limit their corresponding independent claims. Therefore, for a similar reasons stated above, claims 11-18 are allowed.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### **Conclusion**

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to JIALONG HE whose telephone number is (571)270-5359. The examiner can normally be reached on Monday-Thursday, 7:00 - 4:30, Alt Friday, EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richemond Dorvil can be reached on (571) 272-7602. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/JH/

/Vijay B. Chawan/  
for Richemond Dorvil, SPE of Art Unit 2626